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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,999	04/17/2006	Jayshree Bharatia	16469RRUS03N	9376
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Docket Clerk P.O. Drawer 800889 Dallas, TX 75380			PATEL, MUNIALKUMAR C	
			ART UNIT	PAPER NUMBER
			4113	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/575,999	BHARATIA ET AL.
	<b>Examiner</b>	Art Unit Munjal Patel 4113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 17 April 2006.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-16, 19 and 20 is/are rejected.  
 7) Claim(s) 17 and 18 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 17 April 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 01/08/2007

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Objections***

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 19-20 have been renumbered 17-18.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10, 12-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (US PGPUB # US 2002/0042277 A1 published on Apr. 11, 2002).
3. **Regarding claim 1**, Smith discloses a method of obtaining location information for emergency services which reads on method for obtaining location information for emergency services in wireless multimedia networks comprising the steps of: receiving a first request message from a multimedia server (Smith: Fig 6:85 & paragraph 0045); communicating a location request in response to receiving the first request message (Smith: Fig 6:87, 88 & paragraph 0046); receiving a location response in response to communicating the location request (Smith: Fig 6:89, 91, 92 & paragraph 0047 lines [1-14]) ; and

communicating a second request message to the multimedia server in response to receiving the location response (Smith: Fig 6: 93, 94 & paragraph 0047 lines [14-19]).

4. **Regarding claim 2**, Smith discloses everything in claim 1 as above wherein the multimedia server is a serving control session control function server (Smith: Fig 5: 61 & Fig 6 describes SISC server which handles serving control and session control functionality)

5. **Regarding claim 3**, Smith discloses everything in claim 1 as above wherein the multimedia server is a Session Initiation Protocol enabled server (Smith: Fig 5: 61 & Fig 6 describes multimedia server is SIP enabled server).

6. **Regarding claim 4**, Smith discloses everything in claim 1 as above wherein the method is performed at session initiation (Smith: Fig 6 & paragraph 0049 lines [28-32])

7. **Regarding claim 5**, Smith discloses everything in claim 1 as above, wherein the first request is a Session Initiation Protocol INVITE request message (Smith: Fig 6, paragraph 0047 lines [7-8] & paragraph 0049 lines [28-32] ).

8. **Regarding claim 6**, Smith discloses everything in claim 1 as above, wherein the location request is a mobile terminal location request (Smith: Fig 6: 85 & paragraph 0043 lines[4-8]).

9. **Regarding claim 7** Smith discloses everything in claim 1 as above, wherein the location response further comprises location information (Smith: Fig 6:88 & paragraph 0046, 0047 lines [1-6])

10. **Regarding claim 8**, Smith discloses everything in claim 1 as above, wherein the second request is a Session Initiation Protocol INVITE request message (Smith: Fig 6, paragraph 0047 lines [13-14]).

11. **Regarding claim 9**, a communication system comprising: a multimedia server generating and receiving request information (Smith: Fig 5:61); a gateway server capable of receiving a location request and generating a location response (Smith: Fig 5:66 & paragraph 0041 describes MGW) ; and a location application server (Smith: Fig 5:67) providing an interface between the multimedia server and the gateway server in response to the request information generated and received by the multimedia server and in response to the location request and the response generated and received by the gateway server.

12. **Regarding claim 10** Smith discloses everything in claim 9 as above, wherein the multimedia server is a session initiation protocol enabled server (Smith: Fig 5: 61 & Fig 6 describes multimedia server is SIP enabled server).

13. **Regarding claim 12**, Smith discloses a method of obtaining location information for emergency services comprising the steps of:

receiving a first request message from a multimedia server (Smith: Fig 2:27 & paragraph 0023);

communicating a request for routing information in response to receiving the first request message (Smith: Fig 2: 28 & 3: 36);

receiving a request for routing information acknowledgement in response to communicating the request for routing information (Smith: Fig 2:32 paragraph 0025

lines [1-4]); and

communicating a second request message to the multimedia server in response to receiving the request for routing information acknowledgement (Smith: Fig 2:33 & paragraph 0025 lines [4-13]).

14. **Regarding claim 13**, Smith discloses everything in claim 12 as above, wherein the multimedia server is a serving control session control function server (Smith: Fig 5: 61 & Fig 6 describes SISC server which handles serving control and session control functionality).

15. **Regarding claim 14**, Smith discloses everything in claim 12 as above, wherein the multimedia server is a Session Initiation Protocol enabled server (Smith: Fig 5: 61 & Fig 6 describes multimedia server is SIP enabled server) .

16. **Regarding claim 15**, Smith discloses everything in claim 12 as above, wherein the first request is a Session Initiation Protocol INVITE request message (Smith: Fig 6, paragraph 0047 lines [7-8] & paragraph 0049 lines [28-32] ).

17. **Regarding claim 16**, Smith discloses everything in claim 12 as above, wherein the routing request is a request for Routing Information (Smith: paragraph 30 lines [8-10]).

18. **Regarding claim 17**, Smith discloses everything in claim 9 as above, wherein the response to the request for routing information is a Request for Routing Information Acknowledgement (Smith: paragraph 0031)

19. **Regarding claim 18**, Smith discloses everything in claim 12 as above, wherein the second request is an INVITE request message (Smith: Fig 6, paragraph 0047 lines [13-14]).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over being obvious Smith in view of Takeda et al (US Patent # US 7,286,520 B2 filed on July 10, 2003) herein after referred as Takeda.

22. **Regarding claim 11**, Smith discloses everything in claim 9 as above, however Smith fails to disclose multimedia server is an H.323 enabled server, however the examiner maintains that it was well known in the art to provide multimedia server is an H.323 enabled server, as taught by Takeda.

23. In a similar field of endeavor Takeda discloses a Mobile terminal equipment and packet communication method between terminals. In addition, Takeda discloses multimedia server is an H.323 enabled server (Takeda: Column 4 lines [61-62]).

24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Smith by specifically providing multimedia server is an H.323 enabled server, as taught by Takeda for the purpose of providing mobile terminal equipment and a packet communication method between terminals realizing

shortened transfer delay time of data packets on a mobile IP communication network and reduced fluctuation in transfer time (Takeda: Column 4 lines [6-10]).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Munjal Patel whose telephone number is (571)270-5541. The examiner can normally be reached on Monday - Thursday 8:00 AM - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Munjal Patel  
Examiner  
Art Unit 4113

/Mp/  
/Jefferey F Harold/  
Supervisory Patent Examiner, Art Unit 4113